



PATENT  
Attorney Docket No. 249.303

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : Joseph S. Bieganek and Thomas R. Hetzel  
Serial No. : 10/628,860  
Filed : July 28, 2003  
Title : CONTOURED SEAT CUSHION AND METHOD FOR  
OFFLOADING PRESSURE FROM SKELETAL BONE  
PROMINENCES AND ENCOURAGING PROPER  
POSTURAL ALIGNMENT  
  
Group Art Unit : 3673  
Confirmation No. : 3850  
Examiner : Michael Safavi

Declaration of David Harding

I, David Harding, declare as follows:

1. I am a partner in #1654123 Ontario Limited, a venture capital organization whose address is 82 Camforth Road, Toronto, Ontario, Canada M4A 2K7. The majority of the investors in #1654123 Ontario Limited are active participants in various companies involved in the rehabilitative medical equipment industry. #1654123 Ontario Limited invests in companies involved in rehabilitative medical equipment.

2. I am the President of one of Canada's largest rehabilitative medical equipment dealers, Motion Specialties, Inc. I am also the founder of the Motion Group, which is now part of VGM Group services. The Motion Group is a group of 28 rehabilitative medical equipment dealers located across Canada.

3. I have also been involved in manufacturing rehabilitative medical equipment. I was a principal and co-founder of both Genus Medical and Motion Concepts. Both of these companies are involved in the development, manufacture and the design of power tilt and recline systems for power wheelchairs as well as some innovations in seating. Both of these companies were subsequently sold to Invacare Corporation of Elyria, Ohio, the world's largest manufacturer of durable medical equipment. Invacare acquired Genius Medical in 1994 and acquired Motion Concepts

in 2003. I am currently a principal of Raz Designs, a new manufacturer of specialty medical products such as rehab shower commodes.

4. All of the other partners in #1654123 Ontario Limited have similar backgrounds to mine. Some of the partners in #1654123 Ontario Limited have been involved in some of the same companies as I have been involved in, in the past.

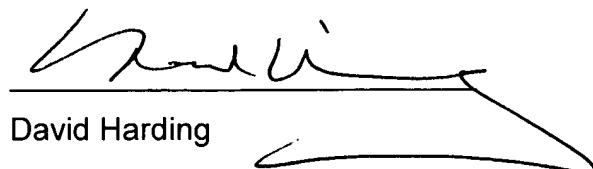
5. In 2005, #1654123 Ontario Limited made a significant capital investment in Aspen Seating and Ride Designs, the primary US marketers and producers of the seat cushions and the inventions described in the patent application described above.

6. #1654123 Ontario Limited felt that Thomas Hetzel, Aspen Seating and Ride Designs had successfully developed the first significant innovation in wheelchair seat cushions in many years. The unique manner in which the cushions offload bony prominences of the pelvis and accentuate support to viable anatomic areas is truly new and extremely valuable.

7. Prior to the investment of #1654123 Ontario Limited in Aspen Seating and Ride Designs, Motion Specialties began using the cushions described in paragraph 6 with patients who were failing to achieve good skin outcomes when using conventional seating solutions. The results of using the cushions described in paragraph 6 was extremely successful and positive in achieving healthy skin and posture outcomes. This positive outcome led my partners and me at #1654123 Ontario Limited to become interested as potential investors in Aspen Seating and Ride Designs.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent application or any patent issued thereon.

October 18, 2006  
Date

  
David Harding